

Supporting Statement for Paperwork Reduction Act Submission

OMB Control Number 1018-0095

Endangered and Threatened Wildlife, Experimental Populations

50 CFR 17.84

October 20, 2004

Specific Instructions

A. Justification

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

Information collection requirements for experimental populations of endangered and threatened species are contained in 50 CFR 17.84. Because individuals of experimental populations of species listed as threatened or endangered under the Endangered Species Act of 1973 (ESA) are categorically protected, documentation of human-related mortalities, recovery of dead specimens, and other types of take related to the status of experimental populations are important for monitoring the success of reintroduction efforts and recovery efforts in general.

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection. [Be specific. If this collection is a form or a questionnaire, every question needs to be justified.]

Information collection and reporting to the Fish and Wildlife Service (Service, We) is required for some experimental populations established under section 10(j) of the ESA, as amended. We collect information on some of the experimental populations listed in 50 CFR 17.84 to help further the recovery of the species and to assess the success of the reintroduced populations. We use the information to (a) document the locations of reintroduced animals, (b) determine causes of mortality and conflict with human activities so that Service managers can minimize conflicts with people, and (c) improve management techniques for reintroduction. The information enables us to assess the effectiveness of control activities and to develop better means to reduce problems with livestock for those species where depredation is a problem. Service recovery specialists use the information to determine the success of reintroductions in relation to established recovery plan goals for the threatened and endangered species involved.

Other Federal agencies provide us with the vast majority of the information on experimental populations under cooperative agreements for the conduct of the recovery programs. However, some information is provided by the public. Reporting parties include, but are not limited to, individuals or households, businesses, farms, and nonprofit organizations. We collect the information by means of telephone calls from members of the public to Service offices specified in

the individual regulations. However, some may provide the information by e-mail or facsimile. The information collected includes name, address, and phone number of reporting party; type of incident; location and time of the reported incident; species involved; and a description of the circumstances related to the incident. Some of this information is necessary for follow-up reports under rules where the Service has authorized harassment or lethal take of experimental animals (e.g., livestock depredation or in defense of human life). We collect three categories of information:

- a. General take or removal. Relates to human-related mortality including unintentional taking incidental to otherwise lawful activities (e.g., highway mortalities), take in defense of human life, take related to defense of property (if authorized), or take in the form of authorized harassment.
 - b. Depredation-related take. Involves take for management purposes where livestock depredation has been documented and may include authorized harassment or authorized lethal take of experimental animals in the act of attacking livestock.
 - c. Specimen collection, recovery, or reporting of dead individuals. This information documents incidental or authorized scientific collection. Most of the contacts with the public deal primarily with the reporting of sightings of experimental population animals, or the inadvertent discovery of an injured or dead individual.
3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden [and specifically how this collection meets GPEA requirements.].

Each reported incident is unique and those individuals responding generally communicate details verbally via telephone. However, we do accept information by e-mail and facsimile.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

Requested information is unique to the incident and is not available from any other source. The Service works with the U.S. Department of Agriculture/APHIS Division of Wildlife Services and other Federal agencies as necessary when investigating or confirming information received regarding any of the nonessential experimental populations. There is some potential for duplication if someone contacts another agency as well as the Service regarding an experimental animal, but generally sufficient information is available to the public through interagency outreach efforts to make reporting requirements well known. The Service and cooperating agencies work closely together to minimize any duplication in reporting.

5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.

Small businesses or small entities must provide the same information as individuals. However, the information collected will not have a significant economic impact on small entities.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

The current frequency and extent of the information collected are necessary to assess the status of the nonessential experimental populations that have been introduced to suitable habitat. The consequence of not collecting the information or reduced information collection would result in our inability to address and/or measure these particular recovery goals. There is no information already available that can be used in lieu of that supplied by the individuals.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:
 - * requiring respondents to report information to the agency more often than quarterly;
 - * requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;
 - * requiring respondents to submit more than an original and two copies of any document;
 - * requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;
 - * in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;
 - * requiring the use of a statistical data classification that has not been reviewed and approved by OMB;
 - * that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or
 - * requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

To minimize potential conflict with humans that could undermine recovery efforts, we rely on prompt public reporting of depredation in order to resolve livestock-related problems. Therefore, a time sensitive requirement for reporting problems (generally within 24 hours) to the appropriate Service office is necessary. This allows us, in cooperation with USDA/APHIS and other cooperating Federal agencies, to (a) determine the location, timing, and nature of the predatory behavior involved; (b) accurately determine the species responsible for a livestock kill; and (c) apply necessary control measures in a timely manner.

8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice [and in response to the PRA statement associated with the collection over the past three years] and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported. [Please list the names, titles, addresses, and phone numbers of persons contacted.]

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

On July 29, 2004, we published a 60-day Federal Register notice (69 FR 45341) informing the public of our intent to renew information collection authority from OMB for experimental populations of threatened and endangered wildlife. The formal public comment period closed on September 27, 2004. We received one comment in response to this notice. The commenter opposed collecting information from groups such as hunting and trapping clubs, but did not comment on the cost or burden hours. We note the concerns raised by this individual, but we cannot exclude any group or individual from reporting information that they believe may be related to this information collection. Therefore, we have not made any changes to our information collection requirements as a result of this comment.

We did not conduct any outreach due to the nature of the information collection. There are no forms associated with this information collection that respondents need to fill out. We collect the information via a telephone call, e-mail, or facsimile. Information collected includes the name, address, and phone number of reporting party; type of incident; location and time of the reported incident; species involved; and a description of the circumstances related to the incident.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

Not applicable, no payment or gift to respondents is made.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

We collect the name, address, and phone number of the reporting party. This provides for individual accountability and assists managers and enforcement agents in conducting their duties. The confidentiality of this information is protected by provisions of the Privacy Act of 1974.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

Not applicable, no sensitive questions are asked.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- * Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.
- * If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.
- * Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.

We estimate that it will take an individual an average of 15 minutes per report to fulfill this requirement. Therefore, the annual burden for 62 individuals to complete the reporting requirements is 15.5 hours. Cost to individuals is estimated at \$3.00 each (phone calls, or facsimile), or a total of \$186.00, plus an additional \$232.50 based on an estimated cost of \$15 per hour for time spent compiling required information.

Type of report	Number of rpts annually	Average time per rpt	Annual burden (@\$3 per call)	Burden hours (@\$15/hour)	Total costs/year	Total Annual Burden Hrs
General take or removal	20	15 minutes	\$60.00	\$75.00	\$135.00	5 hrs
Depredation-related take	22	15 minutes	\$66.00	\$82.50	\$148.50	5.5 hrs
Specimen collection	20	15 minutes	\$60.00	\$75.00	\$135.00	5 hrs

13. Provide an estimate of the total annual [non-hour] cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).

- * The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life) and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information [including filing fees paid]. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.
- * If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.
- * Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.

We do not anticipate any costs to individuals beyond costs described above.

14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.

We estimate that it will take an average of 30 minutes per report for us to process the information collected on the species. Therefore, the annual burden to the Service resulting from 62 individuals reporting information totals 31 hours. Cost is estimated at \$30.00 per hour, or a total of \$930.00.

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.

Not applicable. There are no program changes or adjustments.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

Not applicable. The information is only for internal tracking and use. No publication of information is anticipated.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

Not applicable. We will display the expiration date.

18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-I.

There are no exceptions to the certification statement identified in Item 19, OMB Form 83-I.

B. Collections of Information Employing Statistical Methods

This collection does not employ statistical methods.